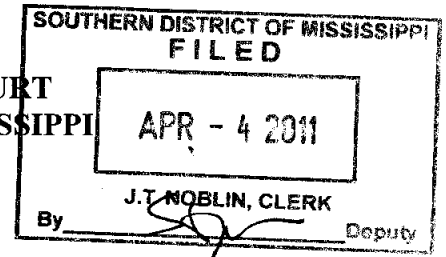


IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
SOUTHERN DIVISION



UNITED STATES OF AMERICA

V.

HERIBERTO SOTO

§
§
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§
§

1:10cr105 LG-RHW-1

**PROPOSED FINDINGS OF FACT AND RECOMMENDATIONS ON
FELONY GUILTY PLEA BEFORE THE UNITED STATES MAGISTRATE JUDGE**

Pursuant to Title 28 United States Code, Section 636(b), this matter has been referred by the district judge for administration of a guilty plea under FED. R. CRIM. P. 11.

On this day this cause came before the undersigned U.S. Magistrate Judge for the Guilty Plea of the Defendant, Heriberto Soto, on Count(s) 2 of the Indictment filed herein charging a violation of 18 U.S.C. 1952(a)(3). After conducting said proceeding in the form and manner prescribed by FED. R. CRIM. P. 11 the Court finds as follows:

1) That the Defendant, after consultation with counsel of record, has knowingly and voluntarily consented to the administration of the Guilty Plea in this cause by the magistrate judge subject to final review and imposition of sentence by a district judge.

2) That the Defendant and the Government have entered into a plea agreement which has been filed and disclosed in open court pursuant to FED. R. CRIM. P. 11(e)(2).

3) That the Defendant is fully competent and capable of entering an informed plea, that the Defendant is aware of the nature of the charges and the consequences of the plea, and that the plea of guilty is a knowing and voluntary plea supported by an independent basis in fact containing each of the essential elements of the offense.

IT IS, THEREFORE, the recommendation of the undersigned U.S. Magistrate Judge that the district judge accept the plea agreement and the guilty plea of the Defendant, Heriberto Soto, and that the Defendant be finally adjudged guilty of that offense.

Signed, this the 4th day of April, 2011.

s/ Robert H. Walker

UNITED STATES MAGISTRATE JUDGE